

TOWN OF EAST TROY

N9330 Stewart School Road • P.O. Box 872

East Troy, Wisconsin 53120

Telephone (262) 642-5376

NOTICE OF JOINT MEETINGS OF THE TOWN BOARD OF THE TOWN OF EAST TROY AND THE TOWN PLANNING COMMISSION

On Wednesday, August 6, 2025, the Town Planning Commission of East Troy will meet at the Town Hall, N9330 Stewart School Road, at 6:30 pm, the following agenda item(s) would be considered:

AGENDA

1. Review & Approval of Planning Commission Minutes – 7/9/2025

2. VARIANCE

The Burns family is requesting a VARIANCE to add onto their current deck footprint while replacing the existing 25-year-old deck due to deterioration over time. When the deck was originally built it was intended for egress accessibility. The intention of the Burns family is to rebuild the deck and stairway within the existing footprint and extend it on the east side of the house, meeting the end of the deck and the edge of the building, to provide a small sitting area while still enabling a safe and unobscured egress pathway. The Burns family hopes for this to break up the vertical scale and improve the visual appearance of the home. The deck and stairway will include cables instead of balusters to reduce its visibility. Parts of the ground level landing will be removed to achieve a zero net change of impervious surface inside the 75-foot setback.

N8728 Wilmers Point Lane

East Troy, WI 53120

Parcel No: PWW 00013

David and Nisha Burns, Owner/Applicant

3. 2050 PLAN AMENDMENT

Jack Shaffer is requesting a change to the 2050 Plan on one of their properties. His wife passed away eighteen months ago and her wish was to preserve the property for their children. As a part of his estate planning Mr. Shaffer would like to create a lot over the existing single-family home and recreational pond that is located to the south of the home. Leaving the remnant property to become a second parcel. The family would keep both lots with no intent to sell. Due to the minimum lot size of 35-acres on an A-1 zoned parcel and the way that the 67-acre lot is split by current zoning, there is not enough A-1 zoned land to create two lots. The family is requesting to have the C-2 zoning that covers half of the house extend to cover the lot that the house and pond are located on. Approximately 14.5 acres total changing 9.4 acres to match the current C-2 zoning of the house. The second lot would remain 57.1 acres of A-1 zoned land. Request to specifically change 9.4 acres from AP to AG2 designation on the 2050 Plan enabling the future rezone to C-2.

N4780 Bell School Road

East Troy, WI 53120

Parcel No: P ET3600003

Jack Shaffer/Honey Creek Trust, Owner/Tony Zanon, Pinnacle Engineering Group, Applicant

4. VARIANCE

Humbert and Trevino are requesting a variance for the demolition and partial reconstruction of an of an existing boathouse and patio located within the shore yard setback of their property. They would like to reconstruct one half of the current footprint of the existing boat house justified to the southeast property line, and create a patio area on the remaining footprint of the former boathouse. A variance is needed for this project to move forward due to the footprint being located within the shore yard setback.

N9114 Oakwood Lane

Mukwonago, WI 53149

Parcel No: POP 00010

Hames Humbert J r& Benjamin Trevino, Owners/Michael Guertin, Deep River Partners Applicant

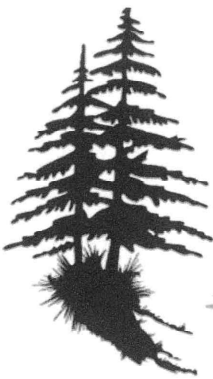
5. Other Business & Public Comments

6. Adjourn

Persons with Disabilities who need accommodations to attend the meeting should contact the Town Clerk at this address as soon as possible: N9330 Stewart School Rd., East Troy WI 53120 or call 262-642-5386.

Posted July 24, 2025

Jennifer Olson - Planning Commission Secretary



**Town
of
East Troy**

PLANNING COMMISSION PUBLIC HEARING APPLICATION

N9330 Stewart School Road • P.O. Box 872

East Troy, Wisconsin 53120

Telephone (262) 642-5376

tetcourt@townofeasttroywi.gov

REZONE: _____ CONDITIONAL USE: _____ OTHER: Variance

OWNER: David and Nisha Burns

APPLICANT: David and Nisha Burns

PROPERTY ADDRESS: N8728 Wilmers Point Lane

OWNER PHONE NUMB: 847-370-0327

APPLICANT PHONE NUMB: 847-370-0327

EMAIL: dburns44@gmail.com

PARCEL NUMB: PWW 00013 SECTION: 18

PRESENT ZONING: Shoreline REQUESTED ZONING: N/A

**To apply for a Planning Commission Request,
you will need to submit the following prior to the third Tuesday of the Month:**

- 8 copies of your County Zoning Administration Application
- A check for the \$300.00 application fee (payable to The Town of East Troy)
- 8 copies of this Town Application
- 8 copies of the plans/blueprints (one copy scaled to legal size paper or email a PDF please)
- 8 copies of a summary painting the Commissioners a picture of your vision for this land. Please, include points of reference below as applicable.

Commissioners may request more information about your application as needed during the meeting to make an informed decision. We know that this is a lengthy process and do our best to keep things moving for you. Providing the most detail you can when submitting an application will help you have an efficient outcome.

(Please PRINT or TYPE)

☐ \$500.00 made payable to Walworth County

	Owner	Applicant
Name	David and Nisha Burns	David and Nisha Burns
Address	530 E North Ave Lake Bluff, IL 60044	530 E North Ave Lake Bluff, IL 60044
Phone	847-370-0327	847-370-0327
Email	dburns44@gmail.com	dburns44@gmail.com

Legal description of property: SE 1/4, NE 1/4, S 18, T 4 N, R 18 E, Town of East Troy

Physical Address: N8728 Wilmers Point Lane, East Troy, WI 53120

Tax parcel number: PWW 00013

Lot area & dimensions: 8,171 SQ. FT. Approximately 54' (shoreline width) / 31' (at street width) x 189' long

Zoning District (s): Shoreland Area

Project Description: See attached, "Project Description"

Required by Ordinance

The deck is required to be 75' from the ordinary high water mark and 3' from the side lot line.

Variance Requested

1) To allow the deck and stairway to be replaced in its current location, 2) To allow the extension of the deck on the east wall of the house while removing other sections of the deck and stairway to have zero net change in impervious surface.

NO VARIANCE TO THE PROVISIONS OF THE WALWORTH COUNTY CODE OF ORDINANCES SHALL BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS IT FINDS THAT ALL OF THE FOLLOWING FACTS AND CONDITIONS EXIST. Indicate your "Exceptional Circumstances", "Hardship, and "Absence of Detriment" not created by the Owner" in the spaces provided below (attach additional pages as necessary):

(Please PRINT or TYPE)

(1) **UNIQUE PROPERTY LIMITATIONS.** Compliance with the terms of the Code of Ordinances is prevented by unique features of this property . . .
See attached, "Three Step Test Responses"

(Please PRINT or TYPE)

(2) UNNECESSARY HARDSHIP. Unnecessary hardship is present because . . .

See attached, "Three Step Test Responses"

(3) NO HARM TO PUBLIC INTERESTS. A variance will not be contrary to the public interest . . .

See attached, "Three Step Test Responses"

Attach a plat of survey of your site and a copy of detailed construction plans.

IF YOU QUALIFY FOR A VARIANCE

- The Board may grant only the minimum variance necessary while preserving the purpose and intent of the zoning ordinances.
- The Board may impose conditions on project design, construction activities or operation of a facility to assure that public interests are protected.
- A variance granted by the Board of Adjustment shall expire within twelve (12) months unless substantial work has commenced pursuant to such grant.
- A variance decision may be appealed to circuit court by an aggrieved party within 30 days of filing of the decision in the office of the board. For this reason you may choose to delay construction on your project until after the appeal period has expired in order to minimize the risk that the court may overturn the Board of Adjustments decision and void your variance.
- Because a property rather than its owner may qualify for a variance (unique property limitations test), a variance transfers to subsequent property owners.

Signed: _____


(Applicant/Agent/Owner)

Date: 7/19/2025

Remit to: **Walworth County Land Use
and Resource Management
Zoning Division
100 West Walworth Street
P.O. Box 1001
Elkhorn, WI 53121**

THREE STEP TEST

UNIQUE PROPERTY LIMITATIONS

Twelve years ago, we were very excited about buying this house on Lake Beulah! While looking at other houses on the lake, we saw some houses close to the shore and some farther away. During the selection of our house, we were not aware of the 75' setback from the shore. As we know now, the existing footprint of our house does not align with current zoning regulations with the east walkway deck 57.1' from the shoreline and deck/landings less than 3' from the property in the south. These existing circumstances present challenges that necessitate a zoning variance for our planned adjustments. Additionally, the unique significantly sloped topography of our property complicates our ability to make improvements to the walkway deck and stairs that are necessary to access the house and provide safe egress pathways. These unique constraints make it essential to obtain a variance to allow reasonable and safe property improvements.

UNNECESSARY HARDSHIPS

Due to the current layout, there is no available space for an outdoor seating area from the main level of the house without obstructing egress. The current stairs, landings, and walkways are only means of entering and exiting the house. Adding even a single chair on the walkway would prevent safe entry and exit of the door on the east side of the building. Additionally, due to the current topography and footprint, the staircases, landings, and deck are necessary to have access to the entrance doors and to the ground level on the east side of the house. These limitations make it impractical and unnecessarily burdensome to comply with standard zoning requirements, and a variance is essential to allow for the creation of a functional and safe outdoor space and access to the building.

NO HARM TO PUBLIC INTERESTS

The extension of the deck is located adjacent to the garage of our neighbor to the north, and our neighbor to the south does not have visibility from their house. The railing on the deck will include cables rather than balusters which will minimize the apparent size of the extension and the rest of the deck. With existing windows in our house next to the planned extension, visibility to our neighbor's property will not be materially increased. Also, the extension of the deck to the north corner will break up the vertical scale of the house, reducing its perceived height and improving its visual appeal. In addition, to account for the new impervious surface of the deck extension we are removing other impervious surfaces, which in total with the deck extension, balance to a net zero change of impervious surface within the 75' setback. Finally, we will not be increasing any of the deck, stairway or landings on the south side and have received support to replace the existing deck, stairway, and landing from our southern neighbor.

PROJECT DEFINITION

Our current deck and stairway have deteriorated over the years since it was built approximately 25 years ago and has now created safety concerns. In addition, when the deck was originally built, it was designed for entry into and exiting from into the house but does not include an area where we can sit outside without obstructing egress pathways.

The intention of the project is 1) to rebuild the deck and stairway in its current location due to limited options within the existing footprint, and 2) to build an extension of the deck on the east side of the house to provide a small sitting space while enabling a safe egress pathway. The extension of the deck will break up the vertical scale and improve the visual appeal for neighbors and others viewing the house. The deck and stairway will include cables instead of balusters to reduce its visibility. Finally, parts of the deck and the ground level landing will be removed to achieve a zero net change of impervious surface inside the 75' set back.



David Burns <dburns44@gmail.com>

FW: Changes to property

Kyle Gams <kyle.gams@spr.com>
To: David Burns <dburns44@gmail.com>

Tue, Jul 15, 2025 at 4:04 PM

Dave,

Good afternoon.

I wanted to send a quick note confirming that Jen and I have no issues with the proposed changes to your property re the adjustment of the walk way deck and the rebuild of the garage entrance door landing.

Our address is N8724 Wilmers Point Ln and we have no issues with the plan.

All the best re the project and let me know if you need anything else.

Thanks.

Regards,

Kyle Gams | Managing Director
SPR Consulting |
Cell: 773.520.5150
www.spr.com



Petition for Variance

Town of East Troy – Planning Commission

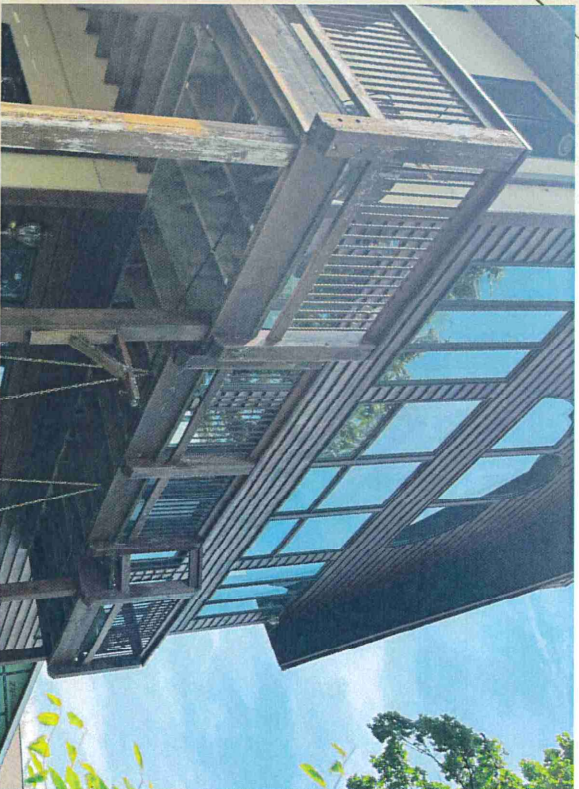
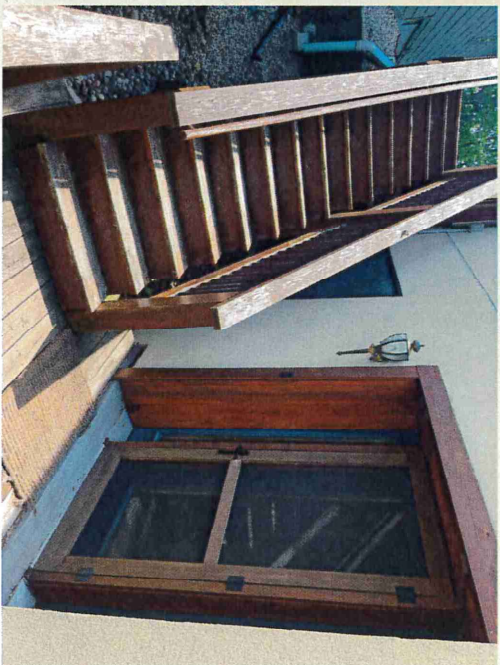
Deck and Stairway Rebuild and Deck Extension

N8728 Wilmers Point Lane, East Troy

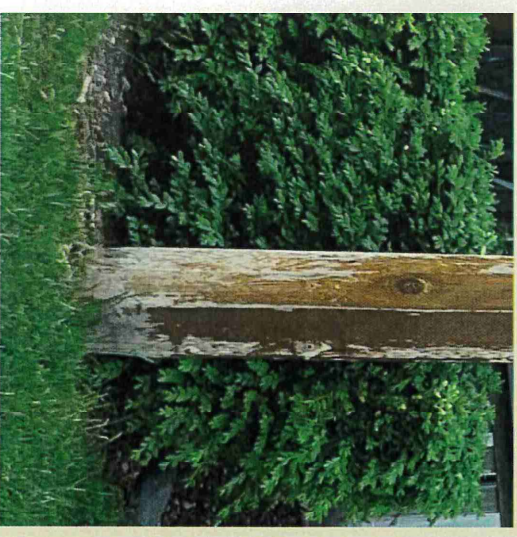
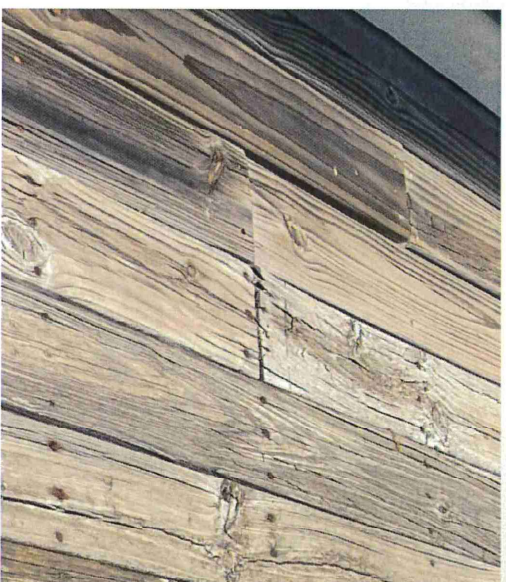
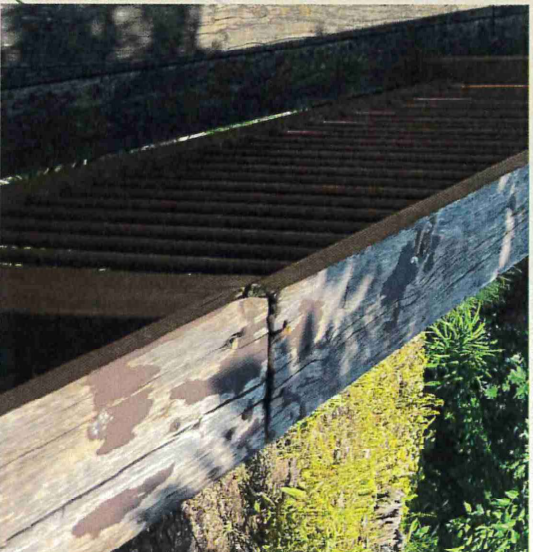


Project Description

- ▶ Rebuild deck and stairway
- ▶ Extend deck on east wall

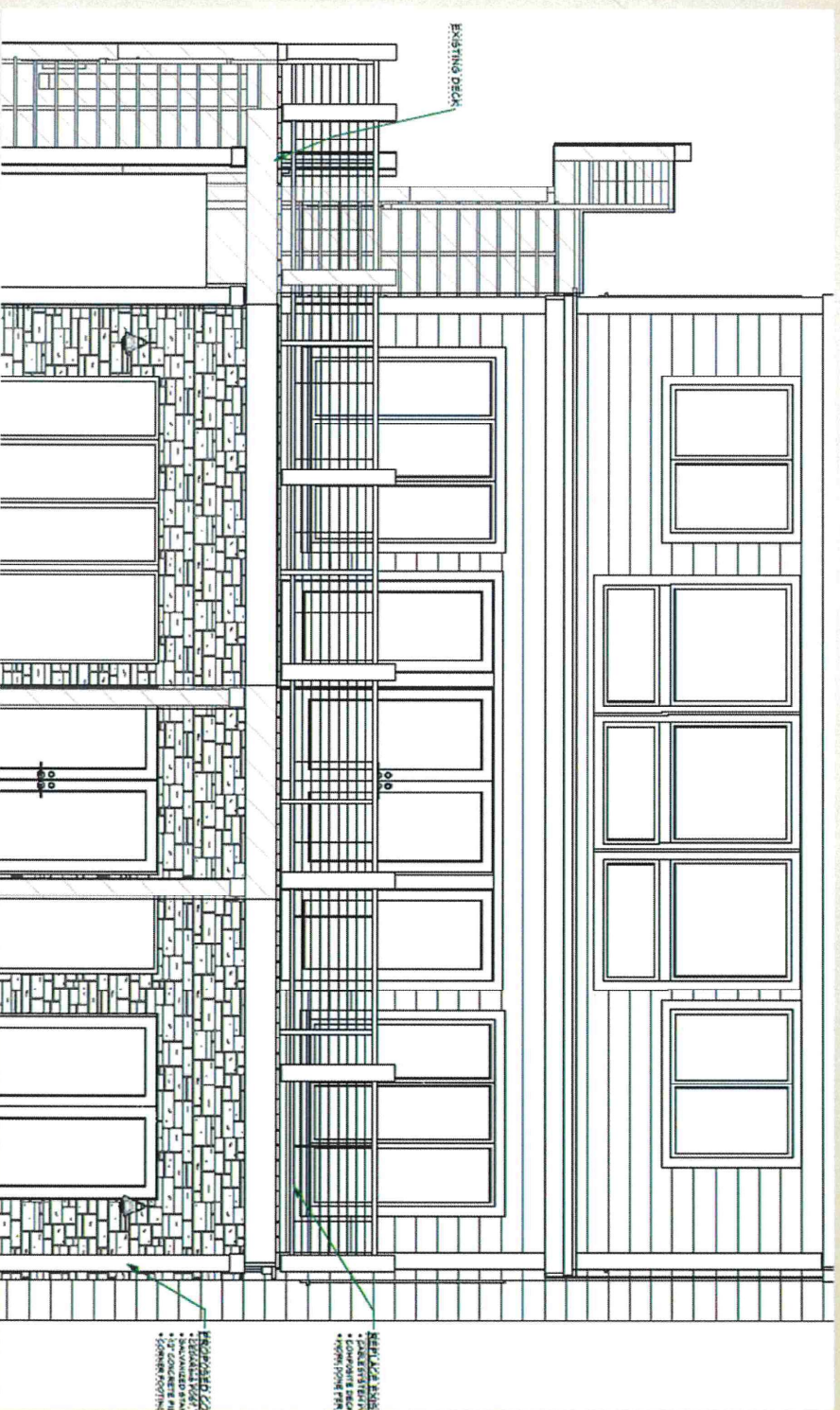


Current Deck Configuration



Deck and Stairway Deteriorating

Decking warped, joists rotting below decking, newel posts rotting below railings, and structural posts rotting at ground level, all creating safety concerns



Proposed Project Design

Rebuild of the deck including concrete foundations of the structural posts, wood grain composite decking and handrails, and cables in the railing.

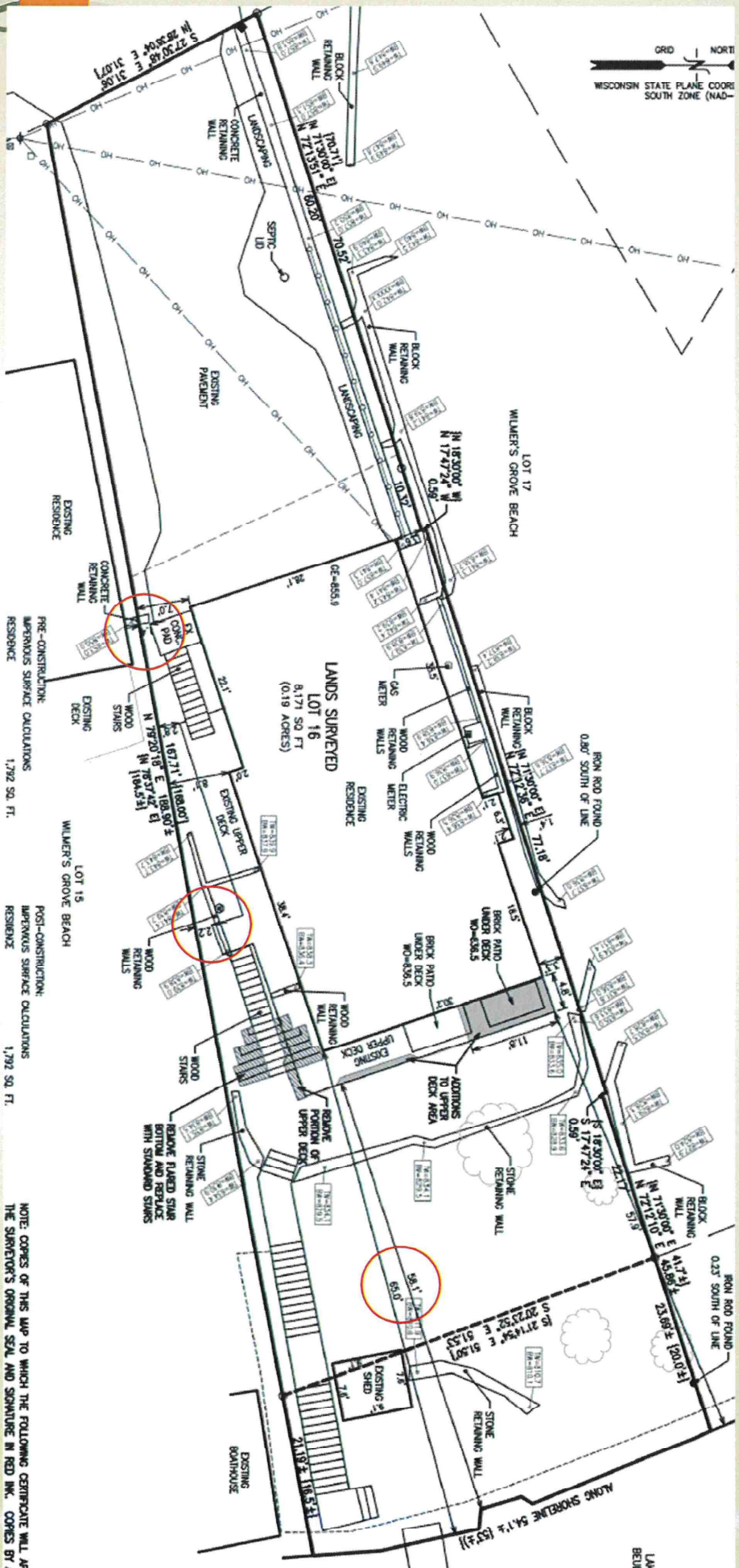


Unique Property Limitations

- ▶ Existing footprint within the 75' shoreline set back, unknowingly of the ordinance upon purchase
- ▶ Existing footprint within the 3' set back from the southern neighbor
- ▶ The location of the building on property that significantly limits an adjustment to the stairway and deck and/or adding a location to safely sit outside on the deck.

Existing Footprint and Location

Limited options for a stairway and access to the doors

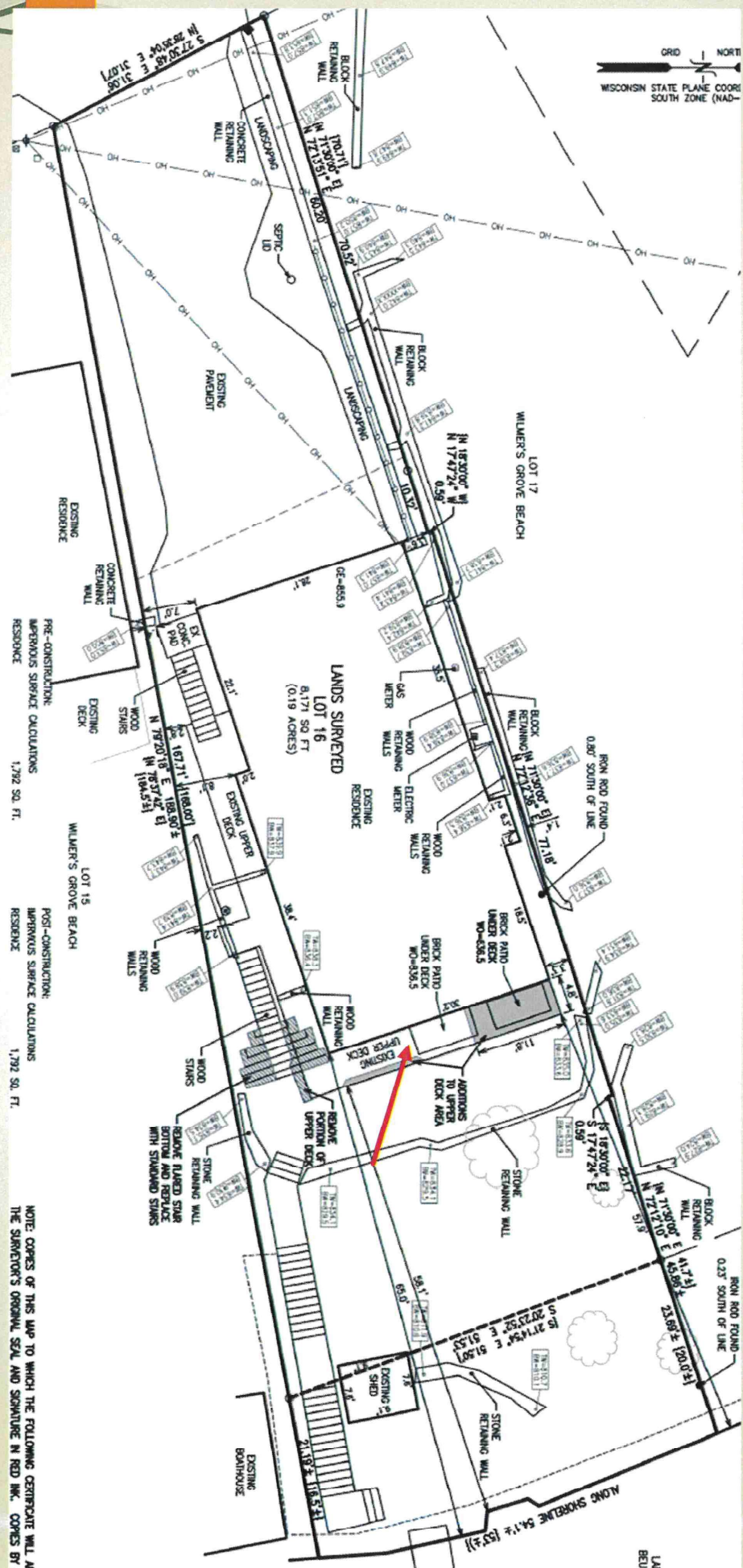




Unnecessary Hardships

- ▶ No available outdoor space with seating without obstructing egress
- ▶ Impractical and unnecessarily burdensome to restructure the building to provide other options for functional outdoor space and access to the building

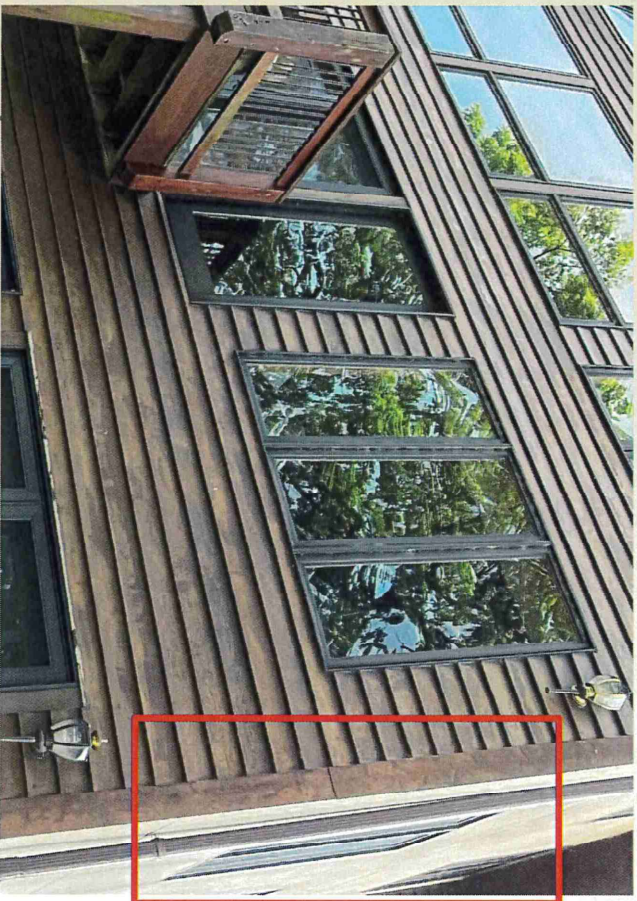
No space for outdoor seating





No Harm to Public Interests

- ▶ Limited new visibility to neighbors' house
- ▶ Adjacent to neighbors' detached garage
- ▶ Break up vertical scale, improve visual appeal
- ▶ Net zero change in impervious surface within 75' set back

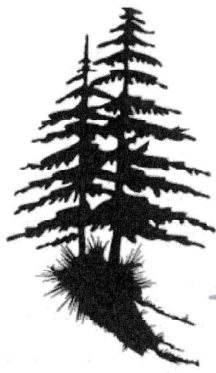


Visibility, Garage Location



The background features a large, soft-edged white circle centered on a light green and yellow gradient. Several thin, dark green curved lines sweep across the top left corner. A solid orange arrow points downwards from the top center.

Thank you!



**Town
of
East Troy**

PLANNING COMMISSION PUBLIC HEARING APPLICATION

N9330 Stewart School Road • P.O. Box 872

East Troy, Wisconsin 53120

Telephone (262) 642-5376

tetcourt@townofeasttroywi.gov

**2050 Comprehensive
Plan Amendment**

REZONE: _____ CONDITIONAL USE: _____ OTHER: _____

OWNER: **Honey Creek Trust Attn: Jack Shaffer**

APPLICANT: **same as owner**

PROPERTY ADDRESS: **N4780 Bell School Road**

OWNER PHONE NUMB: **312-415-3555**

APPLICANT PHONE NUMB: **same as owner**

EMAIL: **jes100hsa@gmail.com**

PARCEL NUMB: **P ET3600003** SECTION: **36**

PRESENT ZONING: **A-1, C-1, C-2, & C-4** REQUESTED ZONING: **2050 Comprehensive
Plan Amendment**

PRESENT 2050 COMPREHENSIVE PLAN DESIGNATION: AG2, AP, INRA, PEC, SW

REQUESTED 2050 COMPREHENSIVE PLAN DESIGNATION: PROPOSE TO CHANGE A PORTION OF AP TO AG2

To apply for a Planning Commission Request,

you will need to submit the following prior to the third Tuesday of the Month:

- 8 copies of your County Zoning Administration Application
- A check for the \$300.00 application fee (payable to The Town of East Troy)
- 8 copies of this Town Application
- 8 copies of the plans/blueprints (one copy scaled to legal size paper or email a PDF please)
- 8 copies of a summary painting the Commissioners a picture of your vision for this land. **Please, include points of reference below as applicable.**

Commissioners may request more information about your application as needed during the meeting to make an informed decision. We know that this is a lengthy process and do our best to keep things moving for you. Providing the most detail you can when submitting an application will help you have an efficient outcome.

Zoning Checklist

- Have you reviewed the Walworth County Zoning Application Form?
- Is the proposed zoning change consistent with the 2050 Land Use Plan?
- Is the proposed zoning change consistent with surrounding properties?
- Does the proposed zoning change have any significant impact on public facilities or services? (i.e. highways, streets, water, sewage, drainage, schools, emergency services, etc.).
- Have you spoken to Chuck Decker, Sanitary District 2, about sewer vs septic for your property? Will he submit a letter?

Conditional Use Checklist

- Have you reviewed the Walworth County Conditional Use Application Form?
- Would the conditional use impact existing traffic patterns?
- Will your proposal increase the percentage of impervious surface upon the property in which the conditional use is being proposed? If yes, please quantify the amount of impervious surface to be created and mitigation measures to be implemented to reduce erosion potential to the adjoining property.
- Will your proposal have any significant impact on public facilities or services? (i.e. highways, streets, water, sewage, drainage, schools, emergency services, etc.).
- Will your proposal create harmful or nuisance effects that include noise, dust, smoke, odor, or other factors?

Variance Checklist

- Have you reviewed the Walworth County Variance Application Form?
- Provide details for the 3-step test
- UNIQUE PROPERTY LIMITATIONS. Compliance with the terms of the Code of Ordinances is prevented by unique features of this property
- UNNECESSARY HARDSHIP. Unnecessary hardship is present because
- NO HARM TO PUBLIC INTERESTS. A variance will not be contrary to the public interest
- Are you requesting any modifications to any setbacks (street, side, rear or shore yard)?
- Will your proposal increase the percentage of impervious surface upon the property in which the conditional use is being proposed? If yes, please quantify the amount of impervious surface to be created and mitigation measures to be implemented to reduce erosion potential to the adjoining property.

Certified Survey Map/Plat Review

- Are the new lots conforming to the current zoning code for the parcel in:
 - Size (minimum lot size met)
 - Does the new layout create future issues with road access for any of the parcels?
 - Are there any clerical issues on the survey map that should be adjusted?
 - Does the new layout create an issue for road access to neighboring parcels?
- Does this use of the property fit within the current zoning and 2050 plan?

2050 Comprehensive Plan Amendment

Often referred to as a “Smart Growth Plan Law” provides a framework for the development, adoption, and implementation of comprehensive plans in Wisconsin. The law includes a consistency requirement, whereby zoning, subdivision and official mapping ordinances adopted and enforced by counties, cities, villages and towns must be consistent with the comprehensive plan adopted by the county or local unit of government. This consistency requirement took effect on January 1, 2010. The state planning law requires that a comprehensive plan include all of the following plan elements:

- 1) Issues and opportunities
- 2) Housing
- 3) Transportation
- 4) Utilities and community facilities
- 5) Agricultural, natural and cultural resources
- 6) Economic development
- 7) Intergovernmental cooperation
- 8) Land use
- 9) Implementation

Here is a link to the **2050 Comprehensive Plan Map**:

<https://www.co.walworth.wi.us/DocumentCenter/View/1576/2050-Walworth-County-Land-Use-Plan-Map-PDF> the key to the right of the document gives you the ability to zoom into the map and see the future use for this area.

The 194-page comprehensive plan can be found at the following link:

www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-288-2nd-ed-comp-plan-walw-co.pdf

The Planning Commission Public Hearing is the first Wednesday of the month at 6:30 pm and the Planning Commission Decision-Making meeting is the third Wednesday of the month at 6:30 pm. The Town Board then makes the final decision at the next Regular Town Board meeting (typically scheduled for the second Monday of the month at 6:30 pm). Walworth County Planning & Zoning then hears the request, after they receive the Town's decision.

**2050 LAND USE MAP
AMENDMENT APPLICATION**



WALWORTH COUNTY

— WISCONSIN —

Land Use & Resource Management

**PETITION OF AMENDMENT TO THE 2050 LAND USE MAP
OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN**

The following must be completed:

- ☐ The signature of the property owner
- ☐ Project narrative (see Application Checklist)
- ☐ A to-scale plat of survey or site plan (See Application Checklist)
- ☐ All additional, pertinent information and plans (see Application Checklist)

The undersigned hereby petitions the Town and County Board to amend the 2050 Multi-Jurisdictional Comprehensive Land Use Map:

PROPERTY OWNER: Honey Creek Trust Attn: Jack Shaffer

ADDRESS: mail: 100 S Wacker Dr, Suite 950, Chicago IL 60606 property: N7480 Bell School Road

PHONE NUMBER (Owner): 312-415-3555 **EMAIL:** jes100hsa@gmail.com

APPLICANT: Town of East Troy

ADDRESS: N9330 Stewart School Road, PO Box 872, East Troy, WI 53120-0872

PHONE NUMBER (Applicant): 262-642-5386 **EMAIL:** tetcourt@townofeasttroywi.gov

TOWN: EAST TROY **TAX PARCEL:** P ET3600003

CURRENT 2050 MAP DESIGNATION: AG2, AP, INRA, PEC, SW

REQUESTED 2050 MAP DESIGNATION: REVISE A PORTION OF AP TO AG2

STATEMENT OF PROPOSED USE OF PROPERTY (ATTACH ADDITIONAL DETAILS):

The use of the land that is part of the land use amendment request is single-family residential.

See the attached narrative for further details.

More information may be requested by the Walworth County Zoning Agency, if deemed necessary, to properly evaluate your request. LACK OF INFORMATION SUBMITTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY AN APPLICATION. If you have any questions regarding this procedure, please contact the Zoning Office at (262) 741-4972.

IT IS NECESSARY FOR THE APPLICANT OR A REPRESENTATIVE TO BE PRESENT AT THE HEARING. FAILURE TO APPEAR MAY RESULT IN THE HEARING BEING POSTPONED AND/OR THE APPLICATION BEING POSTPONED OR DENIED.

Dated this _____ day of _____, 20_____.

**Refunds only
when applicable**

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

APPLICATION CHECKLIST

Please Note:

- The following information must be provided on all applications, where applicable.
- Applications that do not provide all needed information are considered incomplete and may be tabled or denied.
- Not all information requested on this list may pertain to your project. Please ignore requested information not pertinent to your proposal.

Survey/Site Plan Should Include (if applicable):

- ☒ Name of surveyor
- ☒ A north arrow
- ☒ A written legal description of the property
- ☒ The scale of the plat
- ☒ A legend
- ☒ The total acreage of the site
- ☒ The number and size of individual lots or units (acreage)
- ☒ Township or municipal boundaries
- ☒ Soil types and Capability Classifications (**SOIL MAP**)
- ☒ Easements (drainage, pedestrian, road, utility, sanitary, sight, etc.)
- ☒ Zoning district(s) and surrounding land uses
- ☒ Shoreland setbacks and boundaries
- ☒ Wetland boundaries
- ☒ Dimensions and locations of existing and proposed structures
- ☐ Outdoor lighting (**NOT APPLICABLE**)
- ☐ Signage (**NOT APPLICABLE**)
- ☐ Highway access locations (**NOT APPLICABLE**)
- ☐ Existing and proposed interior roads, outlots, parking, and driveways (**NOT APPLICABLE**)
- ☐ Open space areas, common elements, and limited common elements (**NOT APPLICABLE**)
- ☒ Drainage areas, floodplains, rivers, streams, lakes, forested areas, and any other natural features
- ☒ Navigable water bodies and OHWM elevations
- ☒ Any distinct vegetative boundaries
- ☒ Existing and proposed two-foot contours for all areas of major excavation, filling, cutting, or extensive grade changes (**EXISTING ONLY-NO PROPOSED CHANGES**)

Project Narrative Should Include (if applicable):

- ☒ Surrounding land uses
- ☐ Operational Plan (**NOT APPLICABLE**)
 - ☐ Type of operation
 - ☐ Daily business activities
 - ☐ Hours of operation
 - ☐ Number of proposed employees
 - ☐ Size of area involved
 - ☐ Extent of development
 - ☐ Vehicular traffic patterns
 - ☐ Parking
 - ☐ Number of animal units
- ☐ Time and lengths of construction phases
 - ☐ Start-up and completion dates for installation of all infrastructure and improvements (**NOT APPLICABLE**)
- ☒ Check for Wetlands
 - ☐ Wetland delineation report
 - ☒ GIS shapefiles of wetland boundary (email to lurm@co.walworth.wi.us)
- ☒ Densities of dwelling units
 - ☒ Total number of units by type
- ☒ Description of legal measures for any easements, dedications, etc. (**ACCESS EASEMENT**)
- ☐ Identify any school districts impacted (**NOT APPLICABLE**)
- ☐ Drainage plan and Facilities (**NOT APPLICABLE**)
- ☒ Waste Disposal/Management Plan
 - ☒ Describe sewerage needs
 - ☐ Provide a letter regarding capacity availability from sewerage district affected
 - ☐ Describe solid waste management
- ☒ Describe water supply to service project
- ☐ Landscape Plan (**NOT APPLICABLE-NO CHANGES**)
 - ☐ Locations of landscape areas
 - ☐ Preliminary plants to be used
 - ☐ Describe screening buffers
- ☐ Screening, tree cutting, earthmoving, dust, noise, odors, air and water pollution, fire, explosion, glare, heat, radioactivity, electrical disturbance or vibration (**NOT APPLICABLE-NO CHANGES**)

INFORMATION ON THE 2050 LAND USE MAP AMENDMENT PROCEDURES

This information is provided to assist the petitioner in applying for plan amendments.

APPLICATION REQUIREMENTS:

Petitioner must submit a completed application to the town clerk in which the land is located.

Incomplete applications will not be accepted.

All legal descriptions, plans, and supporting information must be submitted with the application.

It is important to check the application form and information check list for the type of information that may need to be included with the application.

The application must contain the original signatures of the owner.

No fax applications, emails, or photocopied signatures will be accepted.

Due to publication requirements, complete applications must be received prior to or on the deadline date established by the town and county.

PLAN AMENDMENT SCHEDULE:

The following generalized schedule is proposed for the **annual** processing of plan amendments:

- Each year, towns would process plan amendments during the months of June, July, and August. "Processing" includes all statutory requirements, including holding a public hearing with a 30-day notice, adoption of a resolution approving the amendment by the town plan commission, and adoption of an ordinance approving the amendment by the town board.
- Each year, towns would forward any town-approved amendments to the County Land Use and Resource Management Department at least six weeks prior to the date of the regular October meeting of the County Zoning Agency, which is held on the third Thursday of the month. The Zoning Agency makes a recommendation to the County Board.
- The County Board would consider adoption of the pending amendments as part of the County comprehensive plan at its regular November meeting.

EXCERPT FROM CHAPTER 6 OF THE COMPREHENSIVE PLAN UPDATE CONCERNING PROCEDURES FOR FUTURE PLAN AMENDMENTS

The following is a copy of the text from the 2050 Multi-Jurisdictional Comprehensive Plan Update.
This text appears on Page 67 of Chapter 6 of the Plan Update.

Comprehensive Plan Amendments

It is expected that there will be amendments to the comprehensive plan in response to changing needs and conditions in the coming years. Plan amendments could consist of changes to the land use plan map or changes to goals, objectives, policies, and programs set forth in the text of the plan. During the development of the 2009 comprehensive plan, recommendations were made for amending the comprehensive plan. Specifically, the plan recommended the following:

- That proposed amendments to the comprehensive plan be considered on an annual basis.
- That there be an opportunity for amending the land use plan at other times if the applicant demonstrates that the proposed amendment involves extraordinary circumstances for reasons affecting the public welfare. In such a case, the concerned town board would have to make a finding that the proposed amendment meets the “extraordinary circumstances” standard. The County Board would not act on any such proposed amendment unless it had the approval of the local governing body concerned and unless a two-thirds majority of the County Board concurred that the “extraordinary circumstances” standard had been met.
- Text amendments to the comprehensive plan that potentially affect all towns would be considered by the County Board only with the approval of a majority of towns that are under County zoning.

Under State comprehensive planning law, amendments to the comprehensive plan must follow the same procedure as those for initial adoption of the plan. Reference should be made to *Wisconsin Statutes* Section 66.1001(4) for details in this regard. The major steps in the amendment process, as related to towns, are summarized below:

- An application for a plan amendment would be submitted to the town for consideration by the town plan commission.
- The town plan commission would review the proposed amendment and make a recommendation on it to the town board. A recommendation supporting the amendment must be in the form of a resolution adopted by a majority vote of the town plan commission.
- The town would send a copy of the proposed amendment to all adjacent local units of government and other parties listed in Section 66.1001 (4)(b) of the *Statutes*.
- The town would hold a public hearing on the proposed amendment preceded by a Class 1 notice published at least 30 days prior to the hearing.
- The town board would consider action on the amendment. An action to adopt the amendment must be in the form of an ordinance adopted by a majority vote of the town board.
- The town would send a copy of the adopting ordinance to all adjacent local units of government and other parties listed in Section 66.1001 (4)(b) and (e).

Following adoption by the town board, the amendment should be submitted to the Walworth County Zoning Agency, which would initiate the process of amending the County comprehensive plan. The process for amending the County plan would be similar to that for towns, as summarized above, with the understanding that the functions of the town plan commission and town board would be carried out by the County Zoning Agency and County Board, respectively.

If you have further questions regarding the procedures, please contact the Town Clerk.

2050 COMPREHENSIVE LAND USE PLAN AMENDMENT REQUEST

For: Honey Creek Trust

RE: Tax Parcel P ET3600003

July 18, 2025

This 2050 Comprehensive Land Use Plan Amendment Request is for a property located in the Northeast 1/4 of Section 36, Town 4 North, Range 18 East, Town of East Troy, Walworth County. The property address is N7480 Bell School Road, and the tax key number is P ET3600003 ("subject property"). The subject property is approximately 90 acres in size and is owned by Honey Creek Trust. In addition to the subject property, Honey Creek Trust also owns approximately 159 acres of land on the east side of Bell School Road and approximately 77 acres on the west side of Bell School Road all in the Town of East Troy, Walworth County. To the east of the subject property, Honey Creek Trust owns approximately 87 acres in the Town of Waterford, Racine County. The subject property abuts Bell School Road on the west and abuts other property owned by Honey Creek Trust on the north, east and south.

The 2050 Comprehensive Land Use Plan designation for the subject property is AG2 (Other Agricultural, Rural Residential (5 to 19 ac/du)), AP (Prime Agricultural), INRA (Isolated Natural resource Area), PEC (Primary Environmental Corridor) and SW (Surface Water). The subject property currently has an existing single family residential home, detached outbuilding, four recreational ponds, wooded areas, maintained lawn associated with the residential home and an agricultural field in the northwest corner of the property.

The current zoning map designates the subject property as A-1 (Prime Agricultural Land District), C-1 (Lowland Resource Conservation District), C-2 (Upland Resource Conservation District) and C-4 (Shoreland Wetland District). The C-1 and C-4 areas are in the southeast corner of the property near Honey Creek. The C-2 areas cover the wooded areas and half of the residential home, and the remainder of the property is zoned A-1.

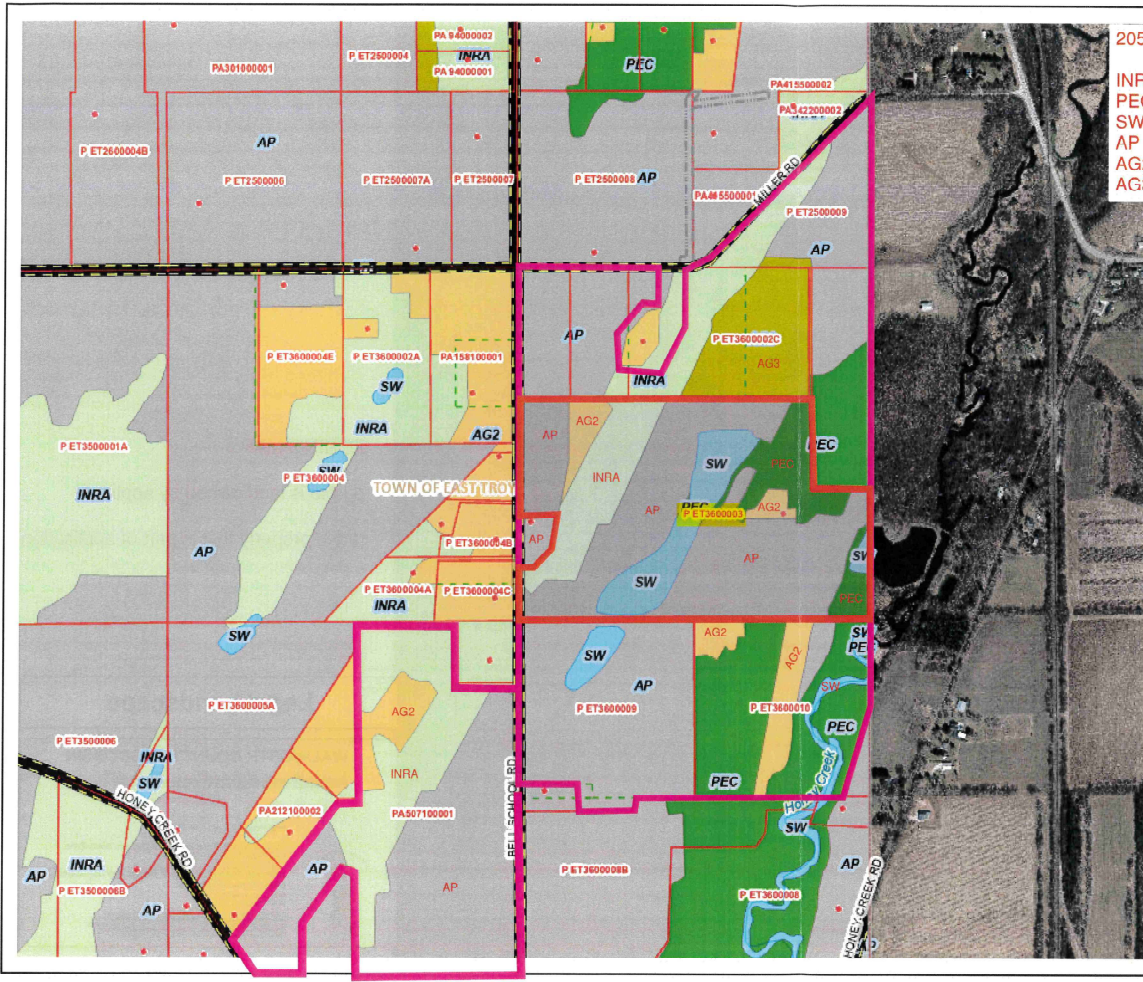
The owner is currently working on estate planning. Eighteen months ago, the landowner's wife passed, and she wished to preserve the property for their children. The intent of the estate planning is to create a lot over the existing single family residential home and the recreational pond that is located south of the home and with the remnant parcel being a second lot. The family would keep both the house lot and the remnant parcel with no intent to sell either. Based on the current A-1 zoning, the proposed lot would need to be a minimum of 35 acres in size and the 35 acres would all need to be in the A-1 zoned area. The total area on the property that is zoned A-1 is approximately 67 acres so there is not enough A-1 zoned land to create two lots (one lot for the house and one lot to cover the remnant land of the property) that each have 35 acres of A-1 zoned land. To create two lots, it would be proposed that the existing C-2 zoning that covers half of the residential house be extended southerly to cover the house, the recreational pond and the entire proposed lot. The minimum lot size for C-2 zoning is 5 acres and the proposed lot would be

approximately 14.5 acres in size. The second lot would still have 57.1 acres of A-1 zoned land so it would remain zoned as A-1.

Based on the 2050 Comprehensive Land Use Plan, the proposed rezoning as described above would not comply. The area to be rezoned is in the AP (Prime Agricultural) land use category and the proposed C-2 zoning is not consistent with the AP land use. Only A-1 zoning is consistent with the AP land use. To request a rezone to C-2, this 2050 Comprehensive Land Use Amendment request is being submitted to change the portion of the AP land use that would be on the proposed lot to AG2 (Other Agricultural, Rural Residential (5 to 19 ac/du)). This would extend the existing AG2 land use area further south.

This Comprehensive Land Use Amendment request is for estate planning. It would be the first step in a rezone and land division request to create a lot over the existing single-family residential home and to create a second lot over the remnant land for potentially another single-family residential home. The owner's intent is for both lots to be for family members. The surrounding land uses are like those on the subject property (AG2, AG3, AP, PEC, and SW). As noted above, the landowner also owns all the land abutting the subject property so the change in the land use designation will not impact or harm any surrounding properties or neighbors. There is no new development being proposed and no proposed construction activities associated with this request. Changing approximately 9.4 acres of land from AP to AG2 fits the existing land use on the property because the land to be in the AG2 land use is already being used as a single-family residential home, a recreational pond, woods and maintained lawn. This request is not to remove current agricultural fields from the AP land use category. The request is to extend the current AG2 land use area further south to allow for this 90-acre property to become two lots. The lots would be approximately 14.4 acres and 75.6 acres in size. These lot sizes fit the rural character of the Town while allowing the owner to better utilize his property.

In reviewing the Walworth County and Wisconsin DNR GIS sites, there are potential wetlands abutting the recreational ponds, and floodplain and shoreland associated with Honey Creek, however none of those features will change or be impacted. The existing home has its own septic system and well. The second lot, if ever developed, would also have its own septic system and well. Both lots would be accessed using the existing driveway from Bell School Road. There would be an access easement over the existing driveway. The proposed rezoning, access easement, and land division (Certified Survey Map) would be prepared and submitted to the Town and County for a detailed review and approval if this 2050 Comprehensive Land Use Amendment is approved.



2050 Comprehensive Land Use Plan

- INRA - Isolated Natural Resource Area
- PEC - Primary Environmental Corridor
- SW - Surface Water
- AP - Prime Agricultural
- AG2 - Other Agricultural, Rural Residential (5 to 19 ac/du)
- AG3 - Other Agricultural, Rural Residential (20 to 34 ac/du)

purple is land owned by applicant (in Walworth County)

red is property that is part of application

Legal Landscape

WALWORTH COUNTY, WISCONSIN

0 175 350 700 1,050 1,400 1,750 Feet

Scale: 1:10,837

Author: Walworth County Information Technology Department

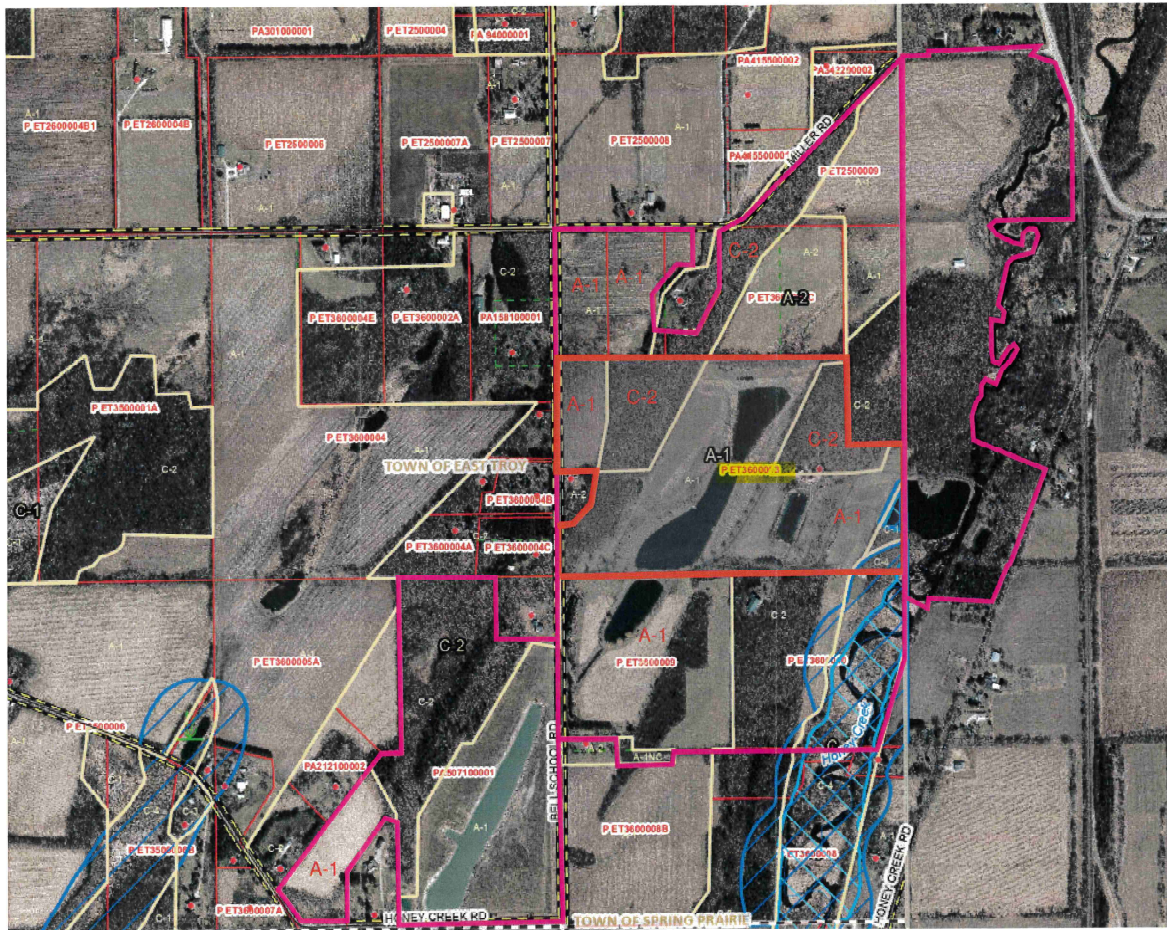
Map Produced on: 4/17/2025

Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83-2011

Walworth County Information Technology Department
Land Information Division

1800 County Trunk NW
Eau Claire, WI 54601-1501

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED FROM AERIAL PHOTOGRAPHY AND IS NOT A GUARANTEE OF ACCURACY. THE INFORMATION IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER ASSUMES ALL LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THIS INFORMATION. THE INFORMATION IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE USER ASSUMES ALL LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THIS INFORMATION.



ZONING MAP

purple is land owned by applicant

red is property that is part of application

Legal Landscape

WALWORTH COUNTY, WISCONSIN

0 175 350 525 1,050 1,575 1,750 Feet

1:10,000

Author:

Map Produced on: 4/18/2022

Wisconsin State Plane Coordinate System, South Zone

Horizontal Datum: NAD83-2011

Walworth County Information Technology Department

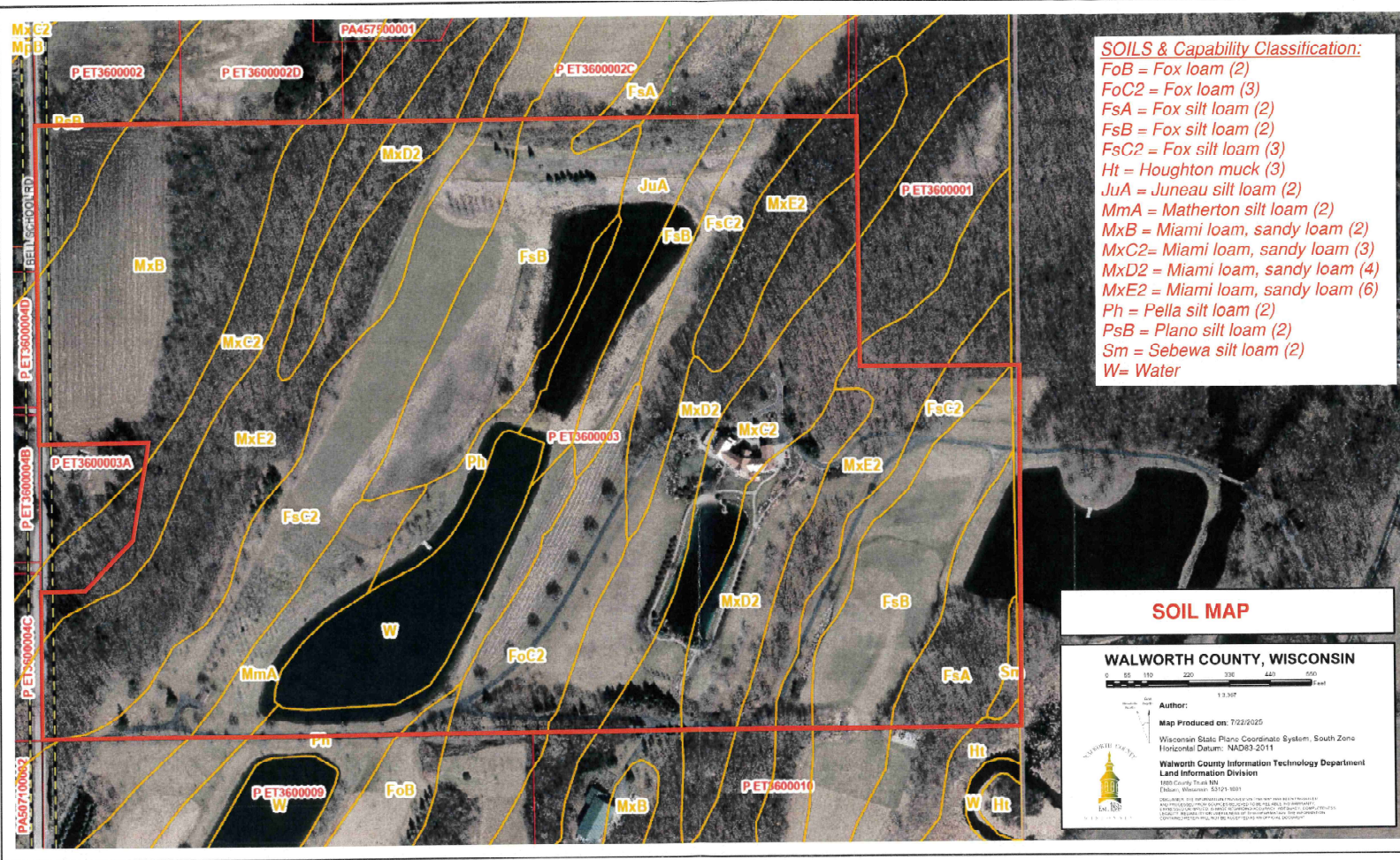
Land Information Division

1000 County Trusts NW

Elkhorn, Wisconsin 53121-1001



REGULATORY: THIS INFORMATION PROVIDED ON THIS MAP WAS BASED ON THE BEST AVAILABLE DATA AND IS NOT A GUARANTEE OF ACCURACY. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION.



SOILS & Capability Classification:
FoB = Fox loam (2)
FoC2 = Fox loam (3)
FsA = Fox silt loam (2)
FsB = Fox silt loam (2)
FsC2 = Fox silt loam (3)
Ht = Houghton muck (3)
JuA = Juneau silt loam (2)
MmA = Matherton silt loam (2)
MxB = Miami loam, sandy loam (2)
MxC2 = Miami loam, sandy loam (3)
MxD2 = Miami loam, sandy loam (4)
MxE2 = Miami loam, sandy loam (6)
Ph = Pella silt loam (2)
PsB = Plano silt loam (2)
Sm = Sebewa silt loam (2)
W = Water

SOIL MAP

WALWORTH COUNTY, WISCONSIN

0 50 100 200 300 400 500 Feet
1:3,367
Author:
Map Produced on: 7/22/2025
Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83-2011
Walworth County Information Technology Department
Land Information Division
1500 County Trunk MN
Darien, Wisconsin 53114-1001
DISCLAIMER: THIS INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY. IT IS NOT A WARRANTY OF ANY KIND. THE USER ASSUMES ALL LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THIS INFORMATION. THE USER AGREES TO HOLD THE COUNTY OF WALWORTH HARMLESS FROM ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THIS INFORMATION.

**2050 LAND USE MAP
AMENDMENT APPLICATION**



WALWORTH COUNTY
WISCONSIN
Land Use & Resource Management

**PETITION OF AMENDMENT TO THE 2050 LAND USE MAP
OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN**

The following must be completed:

- ☐ The signature of the property owner
- ☐ Project narrative (see Application Checklist)
- ☐ A to-scale plat of survey or site plan (See Application Checklist)
- ☐ All additional, pertinent information and plans (see Application Checklist)

The undersigned hereby petitions the Town and County Board to amend the 2050 Multi-Jurisdictional Comprehensive Land Use Map:

PROPERTY OWNER: Honey Creek Trust Attn: Jack Shaffer
ADDRESS: mail: 100 S Wacker Dr, Suite 950, Chicago IL 60606 property: N7480 Bell School Road
PHONE NUMBER (Owner): 312-415-3555 **EMAIL:** jes100hsa@gmail.com

APPLICANT: Town of East Troy
ADDRESS: N9330 Stewart School Road, PO Box 872, East Troy, WI 53120-0872
PHONE NUMBER (Applicant): 262-642-5386 **EMAIL:** tetcourt@townofeasttroywi.gov

TOWN: EAST TROY **TAX PARCEL:** P ET3600003
CURRENT 2050 MAP DESIGNATION: AG2, AP, INRA, PEC, SW
REQUESTED 2050 MAP DESIGNATION: REVISE A PORTION OF AP TO AG2

STATEMENT OF PROPOSED USE OF PROPERTY (ATTACH ADDITIONAL DETAILS):
The use of the land that is part of the land use amendment request is single-family residential.
See the attached narrative for further details.

More information may be requested by the Walworth County Zoning Agency, if deemed necessary, to properly evaluate your request. LACK OF INFORMATION SUBMITTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY AN APPLICATION. If you have any questions regarding this procedure, please contact the Zoning Office at (262) 741-4972.

IT IS NECESSARY FOR THE APPLICANT OR A REPRESENTATIVE TO BE PRESENT AT THE HEARING. FAILURE TO APPEAR MAY RESULT IN THE HEARING BEING POSTPONED AND/OR THE APPLICATION BEING POSTPONED OR DENIED.

Dated this _____ day of _____, 20_____.

**Refunds only
when applicable**

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

APPLICATION CHECKLIST

Please Note:

- The following information must be provided on all applications, where applicable.
- Applications that do not provide all needed information are considered incomplete and may be tabled or denied.
- Not all information requested on this list may pertain to your project. Please ignore requested information not pertinent to your proposal.

Survey/Site Plan Should Include (if applicable):

- ☒ Name of surveyor
- ☒ A north arrow
- ☒ A written legal description of the property
- ☒ The scale of the plat
- ☒ A legend
- ☒ The total acreage of the site
- ☒ The number and size of individual lots or units (acreage)
- ☒ Township or municipal boundaries
- ☒ Soil types and Capability Classifications (**SOIL MAP**)
- ☒ Easements (drainage, pedestrian, road, utility, sanitary, sight, etc.)
- ☒ Zoning district(s) and surrounding land uses
- ☒ Shoreland setbacks and boundaries
- ☒ Wetland boundaries
- ☒ Dimensions and locations of existing and proposed structures
- ☐ Outdoor lighting (**NOT APPLICABLE**)
- ☐ Signage (**NOT APPLICABLE**)
- ☐ Highway access locations (**NOT APPLICABLE**)
- ☐ Existing and proposed interior roads, outlots, parking, and driveways (**NOT APPLICABLE**)
- ☐ Open space areas, common elements, and limited common elements (**NOT APPLICABLE**)
- ☒ Drainage areas, floodplains, rivers, streams, lakes, forested areas, and any other natural features
- ☒ Navigable water bodies and OHWM elevations
- ☒ Any distinct vegetative boundaries
- ☒ Existing and proposed two-foot contours for all areas of major excavation, filling, cutting, or extensive grade changes (**EXISTING ONLY-NO PROPOSED CHANGES**)

Project Narrative Should Include (if applicable):

- ☒ Surrounding land uses
- ☐ Operational Plan (**NOT APPLICABLE**)
 - ☐ Type of operation
 - ☐ Daily business activities
 - ☐ Hours of operation
 - ☐ Number of proposed employees
 - ☐ Size of area involved
 - ☐ Extent of development
 - ☐ Vehicular traffic patterns
 - ☐ Parking
 - ☐ Number of animal units
- ☐ Time and lengths of construction phases (**NOT APPLICABLE**)
 - ☐ Start-up and completion dates for installation of all infrastructure and improvements
- ☒ Check for Wetlands
 - ☐ Wetland delineation report
 - ☒ GIS shapefiles of wetland boundary (email to lurm@co.walworth.wi.us)
- ☒ Densities of dwelling units
 - ☒ Total number of units by type
- ☒ Description of legal measures for any easements, dedications, etc. (**ACCESS EASEMENT**)
- ☐ Identify any school districts impacted (**NOT APPLICABLE**)
- ☐ Drainage plan and Facilities (**NOT APPLICABLE**)
- ☒ Waste Disposal/Management Plan
 - ☒ Describe sewerage needs
 - ☐ Provide a letter regarding capacity availability from sewerage district affected
 - ☐ Describe solid waste management
- ☒ Describe water supply to service project
- ☐ Landscape Plan (**NOT APPLICABLE-NO CHANGES**)
 - ☐ Locations of landscape areas
 - ☐ Preliminary plants to be used
 - ☐ Describe screening buffers
- ☐ Screening, tree cutting, earthmoving, dust, noise, odors, air and water pollution, fire, explosion, glare, heat, radioactivity, electrical disturbance or vibration (**NOT APPLICABLE-NO CHANGES**)

INFORMATION ON THE 2050 LAND USE MAP AMENDMENT PROCEDURES

This information is provided to assist the petitioner in applying for plan amendments.

APPLICATION REQUIREMENTS:

Petitioner must submit a completed application to the town clerk in which the land is located.

Incomplete applications will not be accepted.

All legal descriptions, plans, and supporting information must be submitted with the application.

It is important to check the application form and information check list for the type of information that may need to be included with the application.

The application must contain the original signatures of the owner.

No fax applications, emails, or photocopied signatures will be accepted.

Due to publication requirements, complete applications must be received prior to or on the deadline date established by the town and county.

PLAN AMENDMENT SCHEDULE:

The following generalized schedule is proposed for the **annual** processing of plan amendments:

- Each year, towns would process plan amendments during the months of June, July, and August. "Processing" includes all statutory requirements, including holding a public hearing with a 30-day notice, adoption of a resolution approving the amendment by the town plan commission, and adoption of an ordinance approving the amendment by the town board.
- Each year, towns would forward any town-approved amendments to the County Land Use and Resource Management Department at least six weeks prior to the date of the regular October meeting of the County Zoning Agency, which is held on the third Thursday of the month. The Zoning Agency makes a recommendation to the County Board.
- The County Board would consider adoption of the pending amendments as part of the County comprehensive plan at its regular November meeting.

EXCERPT FROM CHAPTER 6 OF THE COMPREHENSIVE PLAN UPDATE CONCERNING PROCEDURES FOR FUTURE PLAN AMENDMENTS

The following is a copy of the text from the 2050 Multi-Jurisdictional Comprehensive Plan Update.
This text appears on Page 67 of Chapter 6 of the Plan Update.

Comprehensive Plan Amendments

It is expected that there will be amendments to the comprehensive plan in response to changing needs and conditions in the coming years. Plan amendments could consist of changes to the land use plan map or changes to goals, objectives, policies, and programs set forth in the text of the plan. During the development of the 2009 comprehensive plan, recommendations were made for amending the comprehensive plan. Specifically, the plan recommended the following:

- That proposed amendments to the comprehensive plan be considered on an annual basis.
- That there be an opportunity for amending the land use plan at other times if the applicant demonstrates that the proposed amendment involves extraordinary circumstances for reasons affecting the public welfare. In such a case, the concerned town board would have to make a finding that the proposed amendment meets the “extraordinary circumstances” standard. The County Board would not act on any such proposed amendment unless it had the approval of the local governing body concerned and unless a two-thirds majority of the County Board concurred that the “extraordinary circumstances” standard had been met.
- Text amendments to the comprehensive plan that potentially affect all towns would be considered by the County Board only with the approval of a majority of towns that are under County zoning.

Under State comprehensive planning law, amendments to the comprehensive plan must follow the same procedure as those for initial adoption of the plan. Reference should be made to *Wisconsin Statutes* Section 66.1001(4) for details in this regard. The major steps in the amendment process, as related to towns, are summarized below:

- An application for a plan amendment would be submitted to the town for consideration by the town plan commission.
- The town plan commission would review the proposed amendment and make a recommendation on it to the town board. A recommendation supporting the amendment must be in the form of a resolution adopted by a majority vote of the town plan commission.
- The town would send a copy of the proposed amendment to all adjacent local units of government and other parties listed in Section 66.1001 (4)(b) of the *Statutes*.
- The town would hold a public hearing on the proposed amendment preceded by a Class 1 notice published at least 30 days prior to the hearing.
- The town board would consider action on the amendment. An action to adopt the amendment must be in the form of an ordinance adopted by a majority vote of the town board.
- The town would send a copy of the adopting ordinance to all adjacent local units of government and other parties listed in Section 66.1001 (4)(b) and (e).

Following adoption by the town board, the amendment should be submitted to the Walworth County Zoning Agency, which would initiate the process of amending the County comprehensive plan. The process for amending the County plan would be similar to that for towns, as summarized above, with the understanding that the functions of the town plan commission and town board would be carried out by the County Zoning Agency and County Board, respectively.

If you have further questions regarding the procedures, please contact the Town Clerk.

SITE PLAN

CLIENT

Jack Schaffer

SITE ADDRESS

Lands situated along Bell School Road, Town of East Troy, Walworth County. (TAX KEY NO. P ET3600003)

BASIS OF BEARINGS

Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone, NAD27, in which the South line of the SE 1/4 of Section 36 bears N 89°34'23" E.

NOTE:

Current zoning lines, 2050 comprehensive land use plan lines, floodplain lines, shoreland boundary lines, wetland lines and floodplain lines depicted on this exhibit are represented per the Walworth County G.I.S.

PROJECT SURVEYOR:

John Konopacki
Professional Land Surveyor
Registration Number S-2461

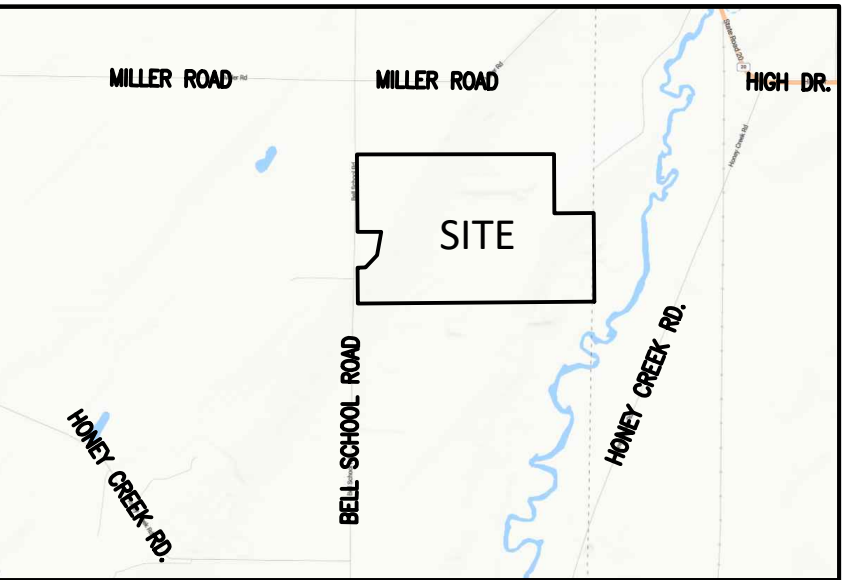
2050 Comprehensive Land Use Amendment Request

LEGEND

- WETLANDS PER WALWORTH COUNTY GIS
- SHORELAND BOUNDARY PER WALWORTH COUNTY GIS
- 2050 COMP. LAND USE PLAN LINES PER WALWORTH COUNTY GIS
- CURRENT ZONING PER WALWORTH COUNTY GIS
- 100 YEAR FLOODPLAIN LINE PER WALWORTH COUNTY GIS

Line Table		
Line #	Direction	Length
L1	N25° 47' 21"E	16.26
L2	S57° 31' 33"E	81.93
L3	N89° 11' 53"E	399.77
L4	S0° 05' 50"E	9.30
L5	S86° 11' 13"E	53.06
L6	N66° 52' 33"E	34.41
L7	N51° 28' 12"E	61.52
L8	N42° 40' 29"E	36.95
L9	S84° 22' 47"E	94.59
L10	S0° 27' 17"E	14.07

VICINITY MAP



LEGAL DESCRIPTION

Parent Parcel Description (per deed):

Commencing at the 1/4 stake at the Southwest corner of the Northeast 1/4 of Section 36 in the Town of East Troy and running North 46 rods; thence due East to the county line; thence due South to Southeast corner of said 1/4; thence due West to the place of beginning.

Also all that part of the Northeast 1/4 of Section 36, Township 4 North, Range 18 East bounded as follows: Commencing at a point 60 rods South of the Southwest corner of said Northeast 1/4; run thence East 134 rods; thence South 54 rods, more or less, to the North line of lands heretofore conveyed to Christopher Mohr by deed dated Oct. 25, 1861; thence West 134 rods to the West line of said 1/4 Section; thence North 54 rods, more or less, to the place of beginning.

Also all that part of the Northeast 1/4 of Section 36, Township 4 North, Range 18 East bounded as follows: Begin at a point 46 rods North and 134 rods East of the Southwest corner of said Northeast 1/4 of said Section 36, Township 4 North, Range 18 East Section; run thence East 26 rods to East line of said Section; thence Northerly along the East line of said Section 13 1/2 rods; thence West 26 rods, more or less, to a point 13 1/2 rods North of the place of beginning; thence South 13 1/2 rods to the place of beginning. EXCEPTING THEREFROM a parcel of land conveyed by Harold C. Rossmiller and Lydia K. Rossmiller to Richard C. Janke and Dianna S. Janke by Warranty Deed dated June 27, 1962 and recorded in the Office of the Register of Deeds for Walworth County on July 2, 1962 in Volume 579 at page 177, as Document No. 540037.

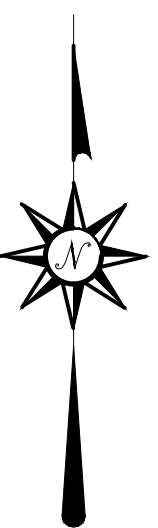
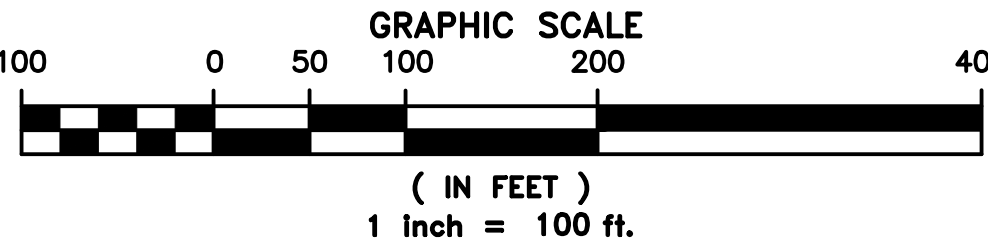
LEGAL DESCRIPTION CONT.

Lands for which a 2050 Comprehensive Land Use Plan Amendment is being requested for. Land to be revised from AP to AG2 further described as:

A parcel of land located in the Northeast 1/4 of Section 36, Township 4 North, Range 18 East bounded and described as follows:

Commencing at the Southwest corner of the Northeast 1/4 of Section 36; thence North 89°34'23" East along the South line of said 1/4 Section 1216.10 feet to a point; thence North 00°25'37" West 100.00 feet to the point of beginning of lands hereinafter described; thence North 30°50'41" West 50.70 feet to a point; thence North 42°28'58" East 254.04 feet to a point; thence North 30°51'10" East 493.27 feet to a point; thence North 25°47'21" East 16.26 feet to a point; thence South 57°31'33" East 81.93 feet to a point; thence North 89°11'53" East 399.77 feet to a point; thence South 00°05'50" East 9.30 feet to a point; thence South 86°11'13" East 53.06 feet to a point; thence North 66°52'33" East 34.41 feet to a point; thence North 51°28'12" East 61.52 feet to a point; thence North 42°40'29" East 36.95 feet to a point; thence South 84°22'47" East 94.59 feet to a point; thence South 00°27'17" East 14.07 feet to a point of curvature; thence Southwesterly 166.32 feet along the arc of curve, whose center lies to the Southeast, whose radius is 280.31 feet, and whose chord bears South 40°42'09" West 163.89 feet to a point; thence South 23°42'18" West 114.02 feet to a point; thence North 71°17'06" West 135.99 feet to a point; thence South 18°42'51" West 510.33 feet to a point; thence South 89°34'23" West parallel with said South line 681.26 feet to the point of beginning. Said lands containing 409,826 square feet (9.4083 acres) of land.

Property Address: N7480 Bell School Rd., Burlington, WI 53105
Tax Key Number: P ET3600003



CHAPUT LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204

414-224-8068
www.chaputlandsurveys.com

This document is an instrument of professional service, and may be protected by the surveyor's work product doctrine or surveyor's client privilege. The information shown herein is intended solely for the use of the client and client directed third parties. Chaput Land Surveys is a division of Pinnacle Engineering Group.
DRAFTED BY: CID
Drawing No. 1129.10

Date of Map: 7/18/2025

Date	Revision description



Town
of
East Troy

PLANNING COMMISSION PUBLIC HEARING APPLICATION

N9330 Stewart School Road • P.O. Box 872

East Troy, Wisconsin 53120

Telephone (262) 642-5376

tetcourt@townofeasttroywi.gov

REZONE: - _____ CONDITIONAL USE: - _____ OTHER: Variance

OWNER: James W Humbert Jr & Benjamin V Trevino

APPLICANT: Michael Guertin - Deep River Partners

PROPERTY ADDRESS: N9114 Oakwood Lane, Mukwonago, WI 53149

OWNER PHONE NUMB: (262) 613-0033

APPLICANT PHONE NUMB: (414) 800-1225

EMAIL: mguertin@deep-river.com

PARCEL NUMB: POP 00010 SECTION: - _____

PRESENT ZONING: R-1 REQUESTED ZONING: - _____

**To apply for a Planning Commission Request,
you will need to submit the following prior to the third Tuesday of the Month:**

- 8 copies of your County Zoning Administration Application
- A check for the \$300.00 application fee (payable to The Town of East Troy)
- 8 copies of this Town Application
- 8 copies of the plans/blueprints (one copy scaled to legal size paper or email a PDF please)
- 8 copies of a summary painting the Commissioners a picture of your vision for this land. Please, include points of reference below as applicable.

Commissioners may request more information about your application as needed during the meeting to make an informed decision. We know that this is a lengthy process and do our best to keep things moving for you. Providing the most detail you can when submitting an application will help you have an efficient outcome.

July 23, 2025

**Town of East Troy Plan Commission
Request for Variance**

Property Owner: James W Humbert Jr & Benjamin V Trevino
Property Address: N9114 Oakwood Lane
Mukwonago, WI 53149

Variance Requested:

We are writing to respectfully request a variance for the demolition and partial reconstruction of an existing boathouse and patio located within the shoreyard setback of the above-referenced property. The proposed work includes the following:

- Demolition of the existing boathouse and patio, both currently located within the shoreyard setback.
- Reconstruction of approximately half of the original boathouse footprint, maintaining its existing location justified to the southeast property line.
- Construction of a smaller patio atop the portion of the original boathouse footprint that will not be rebuilt, rather than in its former location within the yard setback.

Reason for Variance Request:

This request arises due to ambiguity in the R-1 Residential Shoreland District zoning guidelines. While these guidelines prohibit patios in shoreyards, they do not specifically address the replacement of existing patios within a redeveloped boathouse footprint. The variance is necessary because we propose to utilize a portion of the existing boathouse footprint for the new patio. This is considered a “change of use,” and patios are classified as “prohibited structures in shoreyards” due to their location within the 75-foot shoreyard setback and their proximity to the shoreline, which prevents eligibility for the 35-foot shoreyard mitigation exemptions.

We propose a carefully considered design that reduces the scale and environmental impact of the site, as outlined below:

- The boathouse footprint will be reduced from 396 square feet to 198 square feet.
- The patio will be reduced from 239 square feet to 180 square feet.
- The new patio will be constructed atop the portion of the boathouse footprint that is not being rebuilt, allowing for the removal of 88 square feet of existing impervious surfaces, including a concrete pad, landscape pavers, and masonry walls.
- The overall impervious surface area will be reduced by 559 square feet, improving water management on the property.
- The site’s view corridor will be improved from 55% to 36%, minimizing visual and ecological disruption.

(414) 276.8550
deep-river.com

240 N. Milwaukee Street
Suite 400
Milwaukee, WI 53202

**DEEP
RIVER
PARTNERS**

- We also note that neighboring properties (N9102, N9110, N9148, N9152, and N9162 Oakwood Lane) have boathouses located adjacent to property lines. In contrast, our existing boathouse is centrally located, and the proposed design maintains consistency with the character of shoreline development in the area.

Variance Step Test:

1. **Unique Property Limitations:** The current boathouse and patio extend into the center of the property, where neighboring property boathouses are kept along the property line maintaining a widened view corridor. Our intent is to open the view corridor and green space by reducing the current structures' projection into the center of the property. Granting the variance would support a balanced and consistent shoreline development approach with open central view corridors, similar to neighboring properties.
2. **Unnecessary Hardship:** Strict enforcement of the ordinance would present unnecessarily burdensome restrictions because we would be allowed to maintain the existing patio location while reducing the size of the boathouse, however we are simply moving the current patio use out of the center of the property to within the footprint of an existing structure; we are not creating a new use. Granting the variance would allow us to move the use to the southeast to improve view corridors, reduce impervious surface area, create more central open green space.
3. **No Harm to Public Interests:** The proposed development would maintain the existing west side setback of the boathouse, and therefore not harm the neighboring properties. It would reduce the amount of impervious surface area and therefore improve site drainage. It will not create any detriment to adjacent properties, the community, or the general public. Granting the variance would not create a new space within the shore yard setback, and therefore the spirit of the zoning ordinance would be maintained.

The proposed boathouse and patio support a balanced and consistent shoreline development approach, similar to neighboring properties. The project will not harm public interests, nor will it undermine the purpose, intent, or spirit of the zoning ordinance. It will not create any detriment to adjacent properties, the community, or the general public.

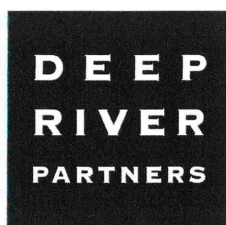
Summary:

We respectfully request approval of this variance because the proposed development:

- Aligns with the intent of the zoning ordinance,
- Does not harm public interest or set a negative precedent for future developments,

(414) 276.8550
deep-river.com

240 N. Milwaukee Street
Suite 400
Milwaukee, WI 53202



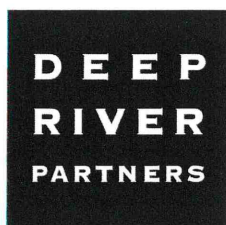
- Improves current site conditions, and
- Demonstrates responsible redevelopment consistent with neighboring properties.

We appreciate your consideration of this request and welcome the opportunity to provide any additional information or clarification as needed.

Respectfully submitted,
Michael Guertin
Architectural Design Associate
Deep River Partners, Ltd.

(414) 276.8550
deep-river.com

240 N. Milwaukee Street
Suite 400
Milwaukee, WI 53202





July 24, 2025

Jay and Amie Humbert
652 Westlawn Avenue
Mukwonago, WI 53149

RE: Tax Parcel Number: **POP 00010**
Permit Number: **ZN-25-0903**

Greetings,

We have received and reviewed the permit application for the above referenced parcel.

According to the plans submitted, you are requesting to construct a patio set 22.67' from the ordinary high water mark. The Walworth County Code of Ordinances requires a shoreyard setback of 75' on this lot. Therefore, I must deny your permit application.

You have the right to appeal my denial to the Walworth County Board of Adjustment within 30 days of receiving this letter and request a variance to the requirements of the Ordinance. This variance may or may not be granted. We are enclosing, for your convenience, an information sheet and application for such a hearing. If the variance is approved, an erosion control permit will be required.

Additionally, be advised that when applying for County permits it is recommended that you contact the Town Inspector for information regarding local permit/variance requirements.

If you have any questions or wish to discuss the matter further, please feel free to contact me or call our office for an appointment. We can be contacted at (262) 741-4972 on weekdays from 8:00am - 4:30pm.

WALWORTH COUNTY LAND USE & RESOURCE MANAGEMENT DEPT.

Sincerely,

A handwritten signature in black ink that reads "Darrin Schwanke". The signature is written in a cursive, flowing style.

Darrin Schwanke

Zoning Code Enforcement Officer / Conservation Technician

Enclosure

CC: Township Inspector
Township Clerk

Land Use & Resource Management 1100 W. Walworth St. | PO Box 1001 | Elkhorn, WI 53121
www.co.walworth.wi.us | (262) 741-4972 (phone) | (262) 741-4973 (fax)

PLAT OF SURVEY

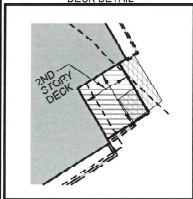
LOT 21 AND THE SOUTHERLY 1/2 OF LOT 22, OAKWOOD PARK, BEING
A SUBDIVISION IN PART OF GOVERNMENT LOT 2, IN THE NORTHEAST
¼ OF SECTION 8, TOWNSHIP 4 NORTH, RANGE 18 EAST, TOWN OF
EAST TROY, WALWORTH COUNTY, STATE OF WISCONSIN.

LAKE BEULAH



LEGEND:

- | | |
|----------|---------------------------------------|
| (100.00) | RECORDED DISTANCE |
| 100.00' | MEASURED DISTANCE |
| ● | 1" FOUND IRON PIPE, UNLESS NOTED |
| ⊗ | 8" x 18" IRON RIDE SET, 1.13 B.I.L.F. |
| ⚠ | WELL |
| Ⓢ | SEPTIC TANK |
| Ⓢ | SEPTIC VENT |
| ⚡ | LIGHT POLE |
| Ⓢ | ELECTRIC TRANSFORMER |
| Ⓢ | ELECTRIC PEDESTAL |
| Ⓢ | TELEPHONE PEDESTAL |
| Ⓢ | CABLE TV PEDESTAL |

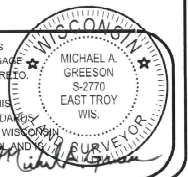
2ND STORY
DECK DETAIL

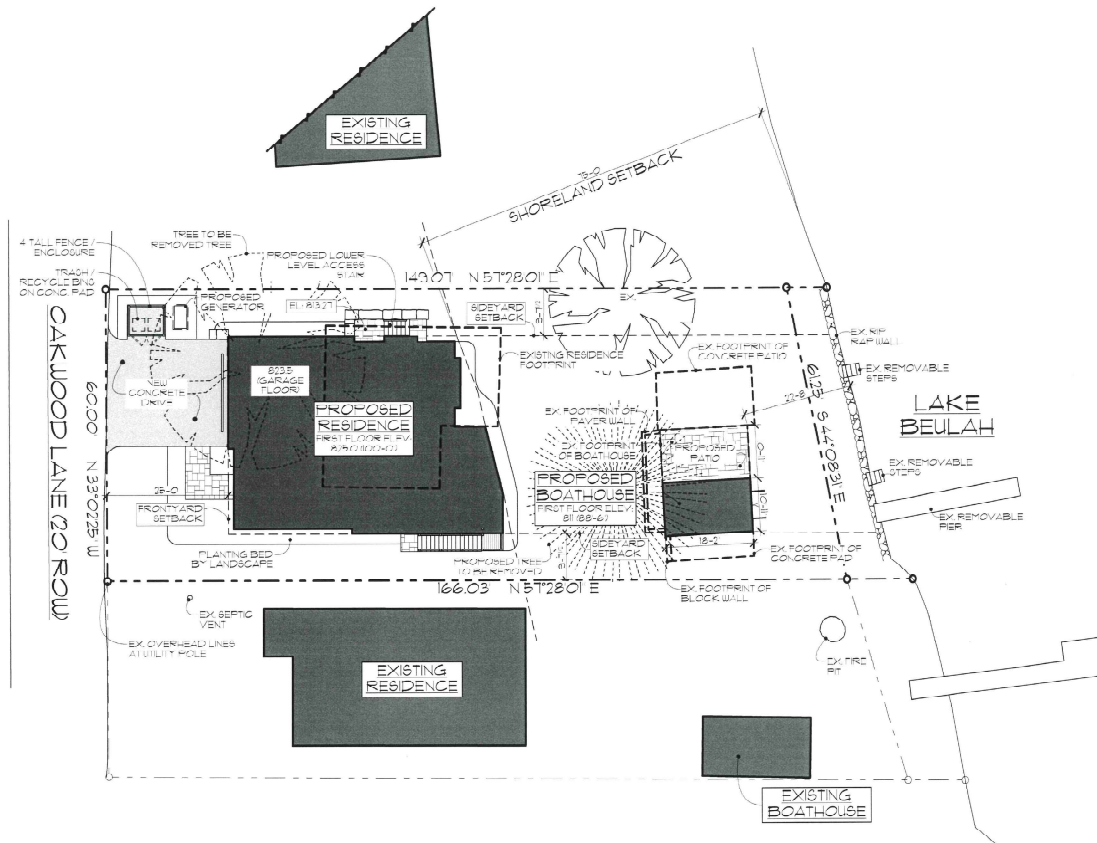
SURVEY MADE FOR:
JAY HUMBERT
256 LEGEND HEIGHTS
WALES, WI 53183

DATE	ITEM
11/01/2004	ORIGINAL SURVEY

THIS SURVEY IS MADE FOR THE USE OF THE PRESENT OWNERS
OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE
OR GUARANTEE TITLE TO WITHIN ONE (1) YEAR FROM DATE HEREOF.

I, MICHAEL A. GREESON P.L.S. #2770, HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PROPERTY SURVEYS (CHAPTER A-E 7) FOR THE STATE OF WISCONSIN AND HAS BEEN PREPARED UNDER MY DIRECTION AND CONTROL AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.





1 SITE PLAN
SCALE: 1" = 20'

